

COPY

in open

62

NEW HAMPSHIRE LAW LIBRARY

SEP 03 1998

CONCORD, N.H.

1952

Feb. 1

Mr. Tom L. Kellog
Chief Fire Inspector
Board of Fire Control
State House

Dear Mr. Kellog:

You have inquired whether the Board of Fire Control is authorized to invoke the provisions of the National Building Code for operation in those municipalities where no other building code is in effect. In our opinion the Board of Fire Control is not authorized to take this action.

Reference is made to Revised Laws chapter 66, sections 18-23 as inserted by Laws of 1945 chapter 105, in which is found the only authority appearing in the statutes for adoption of building codes. It will be noted that this authority is granted only to the governing body of any city, from which the conclusion follows that adoption of the building codes in other municipalities or by other governing bodies has not been authorized.

Very truly yours,

Maurice M. Blodgett
Deputy Attorney General

MMB:RM